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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jeyaraman et al.

Attorney Docket No.: SUN1P806/P5418

Application No.: 09/800,403

Examiner: DUONG, Thomas

Filed: March 5, 2001

Group: 2145

Title: METHOD AND APPARATUS FOR
INCREASING THE EFFICIENCY OF
TRANSACTIONS AND CONNECTION
SHARING IN AN ENTERPRISE ENVIRONMENT

Confirmation No.: 2707

CERTIFICATE OF FACSIMILE TRANSMISSION

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Signed: _____

Laura M. Dean

PRE-APPEAL BRIEF REQUEST FOR REVIEWMail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby requests review of the rejections in the above-identified application. This request is being filed with a Notice of Appeal. Review is requested for the reasons stated in the accompanying remarks.

REMARKS

For the purpose of this PRE-APPEAL BRIEF REQUEST FOR REVIEW only, Applicant sets forth claim 1 immediately below as a representative claim. In specific instances below, Applicant also addresses features recited in other claims, including claims dependent on claim 1. Applicant reserves the right to argue each claim separately when and if an Appeal Brief is eventually filed.

1. A computer-implemented method for processing a transaction in an enterprise environment, the computer-implemented method comprising:
 - receiving a request to start the transaction;
 - storing information which indicates that the request to start the transaction was received;
 - accessing a first resource manager associated with the transaction;

initiating the transaction as a local transaction on the first resource manager without first determining whether the transaction is appropriate to be a local transaction; and
completing the transaction,
wherein the method further includes:
initiating the transaction as a global transaction after initiating the transaction as the local transaction; and
completing both the local transaction and the global transaction substantially atomically using a last resource 2-phase commit optimization.

Summary of Claimed Subject Matter

A brief summary of the subject matter recited in claim 1 is provided here, relative to the discussion of conventional subject matter in the Background portion of Applicant's specification.

In particular, as discussed in the Background portion of Applicant's specification, in some instances, when an application within an enterprise environment requests access to a component, the application may provide a "deployment hint" to the container associated with the component to which access is requested. Once the deployment hint is provided, the component tells the container to start a transaction. In the situation where a deployment hint is provided, the hint indicates whether the transaction is local or global.

However, in some cases, a deployment hint is not provided. Conventionally, in those cases, it is assumed that the transaction is appropriate to be global. Thus, having a container start a global transaction by default if a deployment hint is not provided often wastes computational resources.

In accordance with the invention as recited in claim 1, in situations where it cannot be determined what type of transaction would actually be appropriate, a local transaction is initiated by default. Claim 1 includes the feature that **the transaction is initiated as a local transaction "without first determining whether the transaction is appropriate to be a local transaction."**

In addition, claim 1 includes the feature of:

**initiating the transaction as a global transaction after initiating the transaction as the local transaction; and
completing both the local transaction and the global transaction substantially atomically using a last resource 2-phase commit optimization.**

Clear Errors in the Examiner's Rejection

The following discussion addresses clear errors in the Examiner's rejections. The reasoning set forth below was clearly stated in Amendment B (filed October 24, 2005) and, so, the arguments made there are not substantively repeated here (but, rather, are referred to here). However, where appropriate, Applicant summarizes the argument previously made, as well as addressing statements made by the Examiner in the Advisory Action (mailed December 2, 2005).

A. **Claim 1: The Communication from 52A to 59A is Not a "Transaction."**

See the discussion in Amendment B, at page 6, under the same heading. Put simply, Applicant argued in Amendment B that there is no communication between module 52A and 59A (in Fig. 19, cited by the Examiner) that is a "transaction" since the communication between module 52A and 59A is merely a transfer of a request to initiate a the protected conversation.

In the Advisory Action (Paragraph 2), the Examiner states that:

However, the Examiner finds the Applicants' arguments are not persuasive because it can be interpreted that a request for communication of any kind is the initiation to start a communication or transaction between the two separate entities."

If the Examiner's just-quoted statement in the Advisory Action is taken as true, then, as discussed in the next section of this PRE-APPEAL BRIEF REQUEST FOR REVIEW (and as also argued in Amendment B), the "transaction" cannot also be the protected conversation between 50A and 50D (which are different from 52A and 59A, respectively).

B. **Claim 1: The Communication from 52A to 59A Being "The" Transaction is Inconsistent with the Protected Conversation between 50A and 50D being "The" Transaction.**

See the discussion in Amendment B, at pages 6 and 7, under the same heading.

Put simply, Applicant argued that, if the Examiner insists on considering the communication between module 52A and 59A as "the transaction," then this is inconsistent with the Examiner considering the protected conversation between 50A and 50D as "the transaction."

In claim 1, the global transaction that is initiated is not just any global transaction (i.e., is not just a global transaction, as stated by the Examiner). Rather, the global transaction that is initiated is "the transaction" (i.e., the same transaction that is initiated as a local transaction). Clearly, the transaction 52A/59A and the transaction 50A/50D are not the same transaction (i.e., assuming *arguendo* that the communication between 52A/59A can be considered a "transaction" at all) and, thus, cannot both be "the transaction."

C. **Claim 5: Lazily Determining Whether to Initiate the Global Transaction**

See the discussion in Amendment B, at page 7, under the same heading. Put simply, the Examiner does not address the "lazily determining *whether to initiate*" portion of the feature recited in claim 5.

The Examiner addresses the feature of "further including lazily determining whether to initiate the global transaction" by citing several portions of Coleman, and stating the following:

"Coleman teaches of a completion step in the method for executing an application program that includes both local and global transactions using a last resource 2-phase commit operation."

The Examiner does not address at all "lazily determining *whether to initiate* the global transaction. Merely completing a global transaction does not mean that it was lazily determined whether to initiate the global transaction. Without more, the Examiner's contention is insufficient to support the rejection.

D. Claims 51-53: Initiating the Transaction as a Local Transaction on the First Resource Manager without Knowledge of Whether the Transaction is More Appropriate to be a Local Transaction or a Global Transaction

See the discussion in Amendment B, at page 7, under the same heading. With regard to claims 51-53, the Examiner has lumped together the rejection of the other independent claims with these new claims 51-53. However, the Examiner has not addressed the specific language in these claims that is unique to these claims. In particular, these claims have been drafted to emphasize the "without knowledge" aspect of initiating the transaction as a local transaction.

In Coleman, a "local transaction" [52A/59A, as posited by the Examiner] is initiated with full knowledge of its appropriateness (to the extent such a concept can even be applicable to the Coleman system). That is, otherwise, the transaction would not be made. Coleman makes no provision for an alternative to the "local transaction" if it is not appropriate.

CONCLUSION

It is respectfully submitted that Examiner's rejection are in clear error and that this application is in condition for allowance. Notice to that effect is earnestly solicited.

Respectfully submitted,
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